

LEGAL REGULATIONS

Respecting Masters and Servants in the Coal Trade, extracted from Acts of Parliament now in Force.

BY the 9th Anne, C. 28. (which regulates the several Branches of the Coal Trade) Sect. 9. it is enacted, "That no Coal Owner of any Collieries or Coalmines in the Counties of Durham, Northumberland, or Town and County of Newcastle upon Tyne, or his or their Overmen, Staithmen, Fitter, or Agent, shall knowingly employ or set at Work, any Overman Under-Overman, Pitman, Sinker, Carriage-man, Waggon-driver, Skipper, Keelman, Labourer, Wright, or other Person, retained, hired, or agreed with, and actually employed in the said Coal Trade by any other Coal Owner, (of any Collieries or Coalmines in any of the Counties aforesaid), or his or their Overman, Staithman, Fitter, or Agent, during the Time he shall be employed under such Retainer, Hiring, or Agreement, and his Wages duly paid, or knowingly keep or employ such Person or Persons, upon Pain and Penalty for every six Days, he or they shall keep or employ such Person or Persons, to forfeit and pay for every such Offence the Sum of 5l.—Sect. 10. Provided that any Persons, who shall be retained, hired or agreed with as aforesaid, and shall not be paid their Wages within 14 Days after the same shall become due, may be hired and employed by any other Person or Persons whatsoever.—Sect. 11. The said Penalties and Forfeitures shall be, one Moiety to her Majesty, her Heirs and Successors, and the other Moiety to him, or them, that shall sue for the same within three Months after the Offence committed, to be recovered with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of the Courts of Record at Westminster."

This Stat. (which was only temporary at first) was made perpetual by the 1st Geo. I. Stat. 2d. C. 26.

By 20 Geo. II. C. 19. S. 1. All Complaints, Differences, and Disputes, between Masters or Mistresses, and Servants in Husbandry, Artificers, Handicraftsmen, Miners, Colliers, Keelmen, Pitmen, Glassmen, Potters, and other Labourers, shall be determined by one Justice of the Peace *where the Master or Mistress shall inhabit*.—Concerning which, there are particular Directions in this Statute, as well for the Redress of the Master as the Servant.

By the 6 Geo. III. C. 25. S. 4. "If any Artificer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer, or other Person, shall contract with any Person for any Time or Term, and shall absent himself from his Service before the Term of his Contract be completed, or be guilty of any other Misdemeanor, it shall be lawful for one Justice of the Peace of the County or Place *where such Offender shall be found*, on Complaint upon Oath to him made by such Master, or by his Steward or Agent, to issue his Warrant to apprehend such Person complained of, and to examine into the Nature of the Complaint: And if it shall appear to such Justice that the Person complained of, hath not fulfilled his Contract, or hath been guilty of any Misdemeanor, the Justice shall commit him to the House of Correction for the County or Place *where such Justice shall reside*, for any Time not exceeding three Months, nor less than one."

The following Extracts from other Acts of Parliament, are added as a friendly and serious Caution to all Labouring Persons in the Coal Trade, against riotous and mischievous Practices and Proceedings.

By the 10 Geo. II. C. 32. S. 6. It is enacted, "That if any Person or Persons, shall, wilfully and maliciously set on Fire, or Cause to be set on Fire, any Mine, Pit, or Delph of Coal, or Cannel Coal, every Person so offending, being thereof lawfully convicted, shall be adjudged Guilty of Felony, and shall suffer Death as in Cases of Felony, without Benefit of Clergy."

By the 13 Geo. II. C. 21. (S. 1.) "For more effectually preventing the wilful and malicious destruction of Collieries and Coal Works, It is enacted, "That if any Person, shall, unlawfully, wilfully, and maliciously divert, or Cause to be diverted, any Water from any River, Brook, Water Course, &c. or convey, or Cause to be convey'd, Water into any Coal Work, Mine, Pit, or Delph of Coal, with a Design thereby to destroy or damage the same ~~therein~~: Every such Person, shall, for every such Offence, forfeit and pay to the Party or Parties aggrieved, treble Damages, and full Costs of Suit: to be recovered by Action of Debt, Bill, Plaint, or Information in any of his Majesty's Courts of Record at Westminster.

By the 9 Geo. III. C. 39, S. 3. "For more effectually preventing the destroying of Engines for draining Collieries, Coal Mines, and other Mines, and Bridges and Waggon Ways used in conveying Coals, Lead, and other Minerals from thence; and also Fences for inclosing Lands by Virtue of Acts of Parliament; It is enacted, that if any Person or Persons shall, wilfully or maliciously set Fire to, burn, demolish, pull down, or otherwise destroy or damage, any Fire Engine or other Engine, for draining Water from Collieries or Coal Mines; or for drawing Coals out of the same; or for draining Water from any Mine of Lead, Tin, Copper, or other Mineral; or any Bridge, Waggon Way, or Trunk, for conveying Coals from any Colliery or Coal Mine, or Staith for depositing the same; or any Bridge or Waggon Way, for conveying Lead, Tin, Copper, or other Mineral, from any such Mine; or any Fence or Fences, for dividing or inclosing any Common Waste, or other Lands or Grounds, in Pursuance of any Act or Acts of Parliament; every such Person, being lawfully convicted of any or either of the said several Offences, or of causing or procuring the same to be done, shall be adjudged guilty of Felony, and shall be subject to the like Pains and Penalties as in Cases of Felony.

Provided always, That no Person or Persons shall be prosecuted by Virtue of this Act for any Offence or Offences committed contrary to the same, unless such Prosecution be commenced within eighteen months after the offence committed."

N. B. This Act also contains a Clause for the punishing of Persons riotously assembled to demolish or pull down Mills.